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October 3, 2000

Paul A. Bullis, Chairman
Arizona Power Plant and
Transmission Line Siting Committee
c/o Office of the Attorney General
1275 West Washington
Phoenix, Arizona 85007-2926

Re: Mesquite Power, L.L.C.
Docket No. L-00000S-00-0101
(Case No. 101)

Dear Chairman Bullis:

During the course of the September 6, 2000 public hearing on Mesquite Power, LLC's ("Mesquite") Application for a Certificate of Environmental Compatibility ("CEC"), the Siting Committee asked Mesquite to examine the question of "whether they consider the line from their property into the switchyard a transmission line." [Tr. 222 l. 2-5 and Tr. 223, l. 7-9]. Mesquite has given serious consideration to that request, and for the following reasons concluded that the proposed direct connection between the Mesquite generating station site and the Hassayampa switchyard does not constitute a "transmission line," as defined in A.R.S. 40-360(9).

The statutory definition of "transmission line" expressly contemplates

"... a series of new structures erected above ground and supporting one or more conductors designed for the transmission of electric energy ..." and all new switchyards to be used therewith and related thereto. [A.R.S. 40-360(9)] [emphasis added].


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The direct connection described by Mr. Engelbrecht during the September 6, 2000 hearing does not consist of conductors supported by a "series of new structures." Rather, it will be comprised of conductors supported by a single new structure located mid-way between Mesquite's 230/500 kV transformer bank and Mesquite's termination position in the Hassayampa switchyard. In other words, this direct connection constitutes the entire interconnection between the Mesquite generating station and the Hassayampa switchyard, and a transmission line is unnecessary in this instance. Attached for your convenience is a diagram which depicts the aforesaid arrangement.

In any event, Mesquite's April 14, 2000 Application for a CEC includes a detailed discussion of the proposed direct connection within the scope of the Project, and hence provides the requisite notice as to both the facilities proposed and the authorization requested. Therefore, Mesquite believes that an amendment of its Application is not necessary under the circumstances as a predicate to the Committee granting it a CEC for the Mesquite generating station and related infrastructure, including the aforesaid direct connection facilities.

In the event you or other members of the Committee may have any questions regarding the above, representatives of Mesquite in attendance at the October 4, 2000 hearing will be available.

Sincerely,



Lawrence V. Robertson, Jr.

LVR:cl

cc: Janice M. Alward- ACC
Timothy M. Hogan - Az. Ctr. Law in Public Interest

